

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

VISHRANTHAMMA SWARNA)	
)	
Plaintiff,)	
)	
v.)	Case No.: 06-CV-4880 (PKC)
)	
BADAR AL-AWADI, HALAL and)	
MUHAMMAD AL-SHAITAIN)	
)	
Defendants.)	
_____)	

DEFENDANTS' MOTION TO DISMISS

Badar Al-Awadi and Halal Muhammad Al-Shaitain, the remaining defendants in this action,¹ move under Fed. R. Civ. P. 12(b)(1), (6) to dismiss plaintiff's complaint against them. This motion is supported by a Memorandum of Points and Authorities and a proposed Order.

Respectfully submitted,

/s/ Neil H. Koslowe
Neil H. Koslowe (NK 2808)
Of Counsel
Thomas B. Wilner*
SHEARMAN & STERLING LLP
801 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: (202) 508-8000

Counsel for Defendants
* Admitted *Pro Hac Vice*

Dated: February 22, 2011

¹ The Court dismissed the State of Kuwait as a defendant in this action on March 29, 2009, on grounds of sovereign immunity, *Swarna v. Al-Awadi*, 607 F.Supp.2d 509 (S.D.N.Y. 2009), and that dismissal was affirmed on appeal. *Swarna v. Al-Awadi*, 622 F.3d 123 (2d Cir. 2010).